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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

PEGGY ANN WHITE,

Defendant and Appellant.

D054169

(Super. Ct. No. SCE277062)

APPEAL from a judgment of the Superior Court of San Diego County, Charles W. Ervin, Judge. Affirmed.

A jury found Peggy Ann White guilty of grand theft (Pen. Code, § 487, subd. (a)).¹ White waived her right to a jury trial on a prior prison term allegation (Pen. Code, § 667.5, subd. (b)) and admitted the allegation. The court sentenced her to two years four

¹ The jury was unable to reach a verdict on a count of burglary (Pen. Code, § 459) and the court declared a mistrial on that count.

months in prison: the 16-month lower prison term for grand theft and one year for the prison prior. White appeals. We affirm.

BACKGROUND

On January 3, 2008, White left a Sears store with a television set without paying for it. Her actions were recorded by the store's security camera. A sheriff's deputy told her about the security videotape and asked her if she had been in the store in the last week. White said she had not been there since Thanksgiving.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel lists, as possible but not arguable issues, (1) whether White was properly advised of her rights before she waived them and admitted the prison prior; (2) whether the court improperly denied her motion to exclude evidence of her 2001, 2003, and 2004 burglary and theft convictions; (3) whether there is sufficient evidence to support the grand theft conviction; and (4) whether the court erred by giving jury instruction CALCRIM No. 362 [consciousness of guilt—false statement].

We granted White permission to file a brief on her own behalf. She has not responded. A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *Anders v. California, supra*, 386 U.S. 738, including the possible issues listed pursuant to *Anders v. California, supra*, 386 U.S. 738, has disclosed no reasonably

arguable appellate issues. White has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

McCONNELL, P. J.

WE CONCUR:

McDONALD, J.

O'ROURKE, J.